

February 4, 1976

PRESIDENT: Senator Burbach, the Speaker.

SENATOR BURBACH: With the authority that's been given to me I will ask that this bill be sent back to the Committee for further hearing. I retract my statement, sir.

PRESIDENT: I think it's in order. It's in order on Rule 7, Section 3. It is. It says: "When a question is under debate no motion shall be considered except one of the following, which motion shall take precedents in the order stated" and it says "to a committee". So the question now before us is Senator Carsten's motion to commit this ... to recommit this to the Committee.

SENATOR CARSTEN: Mr. President, a question of the Chair then if I may. Does the Speaker's order supersede a motion?

PRESIDENT: Well his was consistent with yours, wasn't it.

SENATOR CARSTEN: Yes, but ... do we have to vote on it or can he just order it?

PRESIDENT: We have before us the Carsten motion to commit to Committee. Senator Simpson.

SENATOR SIMPSON: Mr. President, members of the Legislature. We now have before us, unamended, the original bill which did have a public hearing. So I would hope that, until such time as we would decide whether to adopt Senator Schmit's amendment, we would not send this back for a hearing in its original form. There's no way that I would know that they could have a hearing in any other form since the Legislature has not decided to adopt anything else. I would feel that we should carry on the debate and make a decision as to the amendments. Then if they feel that there's a big change then it should go back to the Committee.

PRESIDENT: Senator Schmit.

SENATOR SCHMIT: Mr. President, I would rise to concur with Senator Simpson. I would hope that the body would adopt the amendment with the amendments that have been added ... Senator Murphy's amendment. Then we could vote on Senator Carsten's motion to return the bill to Committee for a full public hearing. Then we will have the new bill.

PRESIDENT: Senator Dickinson.

SENATOR DICKINSON: Well are we talking about Senator Carsten's amendment?

PRESIDENT: Yes sir.

SENATOR DICKINSON: I would support Senator Carsten.

PRESIDENT: Alright.